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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,104	12/06/2001	John B. Simeone	P105101	5198
22839	7590	07/12/2005	EXAMINER	
RICHES, MCKENZIE & HERBERT, LLP SUITE 1800 2 BLOOR STREET EAST TORONTO, ON M4W 3J5 CANADA			HALIYUR, VENKATESH N	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,104

Applicant(s)

SIMEONE, JOHN B.

Examiner

Venkatesh Haliyur

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/06/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/06/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1 page</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,11,5-7,9-10,15-17,19-20 are rejected under 35 U.S.C 102(b) as being anticipated by Pickett (US Pat. 6154465).

Regarding claims 1,11, Pickett disclosed systems and methods for multiple modes voice and data communications using intelligently bridged TDM and packet buses and methods for performing telephony and data functions [50 of Figure 2 & 3] comprising user input/output unit [82 of Fig 3] for receiving and sending user communication signals to and from the user device [12,44,22,24 of Fig 3]; an ATM network input/output unit [ATM of 82 of Fig 3] for receiving and sending network signals to and from the ATM network [58 of Fig 3]; a microprocessor for converting said user signals to network signals and converting network signals to user signals [76, 79C of Fig 3]; and wherein the interface device is powered by a power source which is not dependent on the user device or the ATM network and other types of network [Column 2, line 14-58].

Regarding claims 5,15, Pickett disclosed the redundant power supplies [Column 8, lines 7-10] in the event of a power failure [Column 31 lines 36-54].

Regarding claims 6,7,16,17, Pickett disclosed speech processor [76,79C of Fig 3] located between the user input/output unit [82 of Fig 3] and the microprocessor [70 of Fig 3] for converting speech signals to text [column 46, lines 27-35] to and from the ATM network.

Regarding claims 8,18, Pickett disclosed a multi-bus architecture [Column 2, lines 20-27] in his communications system [50 of Fig 3].

Regarding claims 9,10,19,20, Pickett disclosed an internal bus [78 of Fig 3] for connecting to the microprocessor [70 of Fig 3] and to the user input/output unit [82 of Fig 3] and to the ATM network input/output [ATM of 82 of Fig 3]; and wherein the microprocessor monitors, detects and isolates users who with unusual transactions [Column 6 lines 16-46, Column 40, lines 1-55].

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4, 8,12-14,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett in view of Foltan et al [US Pat. 6667972].

Regarding claims 2-3,12-13, Pickett disclosed plurality of analog and digital telephones [POT and T-1/PRI of 82 of Fig 3, Column 33, lines 42-62] which are connected to the communications system [50 of Fig 3] and having the ability to remotely administer and configure the communication system [Column 39 lines 55-66] to the type of analog and digital telephones.

Regarding 4,14 Pickett disclosed a method to interface headset [Column 13,lines 36-49], Video camera/Microphones/Computers [Column 28,lines 35-65] connected to the communications system.

However, Pickett fails to disclose a method for self-configuration units in the communication system based on the type of user devices connected to the system. But, Foltan et al [US Pat. 6667972] disclosed a method and apparatus providing multi-service connections within a data communication device [250 of Fig 5] disclosed a method to detect the type of user devices connected to the module and to configure itself based on type of user device [Column 7 lines 43-58]. Therefore it would have been obvious for one of ordinary skill in the art to use the self-configuring method as taught by Foltan et al in to the communications system of Pickett to detect and self-configure communications system interface units based on the type of user device connected to the communications system.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art in reference here are Pickett and Foltan et al.

7. Any inquiry concerning this communication or earlier communications should be directed to the attention to Venkatesh Haliyur whose phone number is 571-272-8616. The examiner can normally be reached on Monday-Friday from 9:00AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached @ (571)-272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2600 or fax to 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).


Ajit Patel
Primary Examiner